

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 903

Introduced by Assembly Member Bill Berryhill

February 17, 2011

An act to ~~amend Section 12200 of~~ *add Section 12206 to* the Water Code, relating to the Sacramento-San Joaquin Delta.

LEGISLATIVE COUNSEL'S DIGEST

AB 903, as amended, Bill Berryhill. Sacramento-San Joaquin Delta.

Under existing law, legislative findings and declarations state, among other things, that the water problems of the Sacramento-San Joaquin Delta are unique within the state and that a general law cannot be made applicable to the Delta.

~~This bill would make technical, nonsubstantive changes to those legislative findings and declarations~~ *legislative findings relative to the importance of dredging in the Sacramento-San Joaquin Delta, and require the State Water Resources Control Board, the Department of Water Resources, and the Department of Fish and Game to take specified actions with regard to dredging the Delta.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 12206 is added to the Water Code, to*
- 2 *read:*
- 3 *12206. (a) The Legislature finds and declares all of the*
- 4 *following:*

1 (1) *Dredging is critical to all irrigated agricultural lands.*
2 (2) *Dredging created the Sacramento-San Joaquin Delta region*
3 *as we know it today.*

4 (3) *Without continued dredging, the Delta as a community and*
5 *an economically productive region will eventually be destroyed.*

6 (4) *Dredging is critical to the Delta for flood control, levee*
7 *improvements, improving native marine habitat and reducing*
8 *invasive species, removing mercury, and improving southern water*
9 *exports.*

10 (5) *The Army Corps of Engineers have been dredging the deep*
11 *water ship channel in the Sacramento-San Joaquin Delta for many*
12 *years for purposes of improving the economy and advancing*
13 *economic security.*

14 (b) *In light of the above findings of the Legislature, the state*
15 *entities enumerated below shall do the following:*

16 (1) *The State Water Resources Control Board shall provide*
17 *priority review for any dredging permits pending in the*
18 *Sacramento-San Joaquin Delta as defined in Section 12200.*

19 (2) *The Department of Water Resources shall expedite the*
20 *implementation of the South Delta Improvements Program,*
21 *including, particularly, the dredging of the Middle River.*

22 (3) *The Department of Fish and Game shall expedite the*
23 *completion of any fish studies and biological opinions that may*
24 *be required to complete the South Delta Improvements Program.*

25 ~~SECTION 1. Section 12200 of the Water Code is amended to~~
26 ~~read:~~

27 ~~12200. (a) The Legislature hereby finds all of the following:~~

28 ~~(1) The water problems of the Sacramento-San Joaquin Delta~~
29 ~~are unique within the state.~~

30 ~~(2) The Sacramento and San Joaquin Rivers join at the~~
31 ~~Sacramento-San Joaquin Delta to discharge their fresh water flows~~
32 ~~into Suisun, San Pablo, and San Francisco Bays, and from there~~
33 ~~into the Pacific Ocean. The merging of fresh water with saline bay~~
34 ~~waters and drainage waters, and the withdrawal of fresh water for~~
35 ~~beneficial uses, creates an acute problem of salinity intrusion into~~
36 ~~the vast network of channels and sloughs of the Delta.~~

37 ~~(3) The State Water Resources Development System has as one~~
38 ~~of its objectives the transfer of waters from water-surplus areas in~~
39 ~~the Sacramento Valley and the north coastal area to water-deficient~~
40 ~~areas to the south and west of the Sacramento-San Joaquin Delta~~

1 via the Delta. Water surplus to the needs of the areas in which it
2 originates is gathered in the Delta and thereby provides a common
3 source of fresh water supply for water-deficient areas.

4 (b) It is, therefore, hereby declared that a general law cannot be
5 made applicable to the Delta and that the enactment of this law is
6 necessary for the protection, conservation, development, control,
7 and use of the waters in the Delta for the public good.